

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

JUSTIN JAMES HINZO,

Plaintiff,

v.

CIV 10-506 JB/CG

STATE OF NEW MEXICO
DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

ORDER

THIS MATTER comes before the Court on the *Motion by the Plaintiff Pro Se Withdrawing the (2nd) Plaintiff's Request to Respond to Defendants' Response to the Plaintiff's Objections to their Martinez Report* ("Motion to Withdraw") filed on November 14, 2012. (Doc. 133). In his motion, Plaintiff asks to withdraw his *Motion by the Plaintiff Pro Se Asking Whether or Not He Can Briefly Respond to the Defendants' Reply to Objections by the Plaintiff to Defendants' Martinez Report* ("Motion to File Surreply") filed on October 16, 2012. (Doc. 128). Plaintiff's Motion to File Surreply was actually his second motion to file a surreply; the Court denied his first request on October 12, 2012, (Doc. 126), but Plaintiff did not receive that order before mailing his Motion to File Surreply. (Doc. 133 at 1). The Court finds Plaintiff's Motion to Withdraw to be well-taken.

IT IS THEREFORE ORDERED that Plaintiff's motion to withdraw is
GRANTED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', with a long horizontal flourish extending to the right.

THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE